

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION

*This document relates to:*

*City of Lynn Haven*, Case No. 1:19-op-46006

MDL No. 2804

Case No. 1:17-md-2804

JUDGE DAN AARON POLSTER

**SECOND STIPULATION AND [PROPOSED] ORDER  
DISMISSING WITH PREJUDICE CLAIMS  
PURSUANT TO FLORIDA CVS SETTLEMENT AGREEMENT**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel of record for Lynn Haven, Florida (“Lynn Haven”) and Defendants CVS Health Corporation, CVS Pharmacy, Inc., CVS Orlando FL Distribution, L.L.C., CVS Vero FL Distribution, L.L.C., CVS TN Distribution, L.L.C., CVS Rx Services, Inc., CVS Indiana, L.L.C., Holiday CVS, L.L.C., CVS Health Solutions, L.L.C., and Omnicare Distribution Center, L.L.C. (together, “CVS”<sup>1</sup>) that, pursuant to the election of Lynn Haven to participate in the CVS Florida Settlement Agreement (copy attached at Doc. 4473-2), all claims of Lynn Haven against CVS in MDL Case No. 1:19-op-46006 are hereby voluntarily **DISMISSED WITH PREJUDICE**, with each party to bear its own costs.

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<sup>1</sup> The CVS Florida Settlement Agreement is between the State of Florida, Office of Attorney General, on the one hand, and CVS Health Corporation and CVS Pharmacy, Inc., on the other, but the Settlement Agreement provides for participation by Dismissing Plaintiffs conditioned on their agreement, among other things, to release and dismiss their claims against all “Releasees,” which includes CVS Orlando FL Distribution, L.L.C., CVS Vero FL Distribution, L.L.C., CVS TN Distribution, L.L.C., CVS Rx Services, Inc., CVS Indiana, L.L.C., Holiday CVS, L.L.C., CVS Health Solutions, L.L.C., and Omnicare Distribution Center, L.L.C.. Settlement Agreement § A(bb) and A(cc) (attached as Appendix B).

Dated: August 7, 2023

Respectfully submitted,

Agreed as to form and substance:

**CVS**

**LYNN HAVEN, FLORIDA**

/s/ Eric R. Delinsky

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Inc., CVS Indiana, L.L.C., Holiday  
CVS, L.L.C., CVS Health Solutions,  
L.L.C., and Omnicare Distribution  
Center, L.L.C.*

SO ORDERED this \_\_\_ day of August, 2023.

\_\_\_\_\_  
Hon. Dan Aaron Polster  
United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on August 7, 2023, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF system.

/s/ Eric R. Delinsky  
Eric R. Delinsky